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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

LUCIA MARETT, *on behalf of herself and
all others similarly situated,*

Plaintiff,

v.

No. 16 Civ. 9381

PALM RESTAURANT, INC.,

Defendant.

**NOTICE OF PLAINTIFF'S UNOPPOSED MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION SETTLEMENT**

Through her undersigned counsel, Plaintiff Lucia Marett (“Plaintiff” or “Ms. Marett”), respectfully moves this Court for an Order preliminarily approving the terms of a proposed class action settlement; approving the form and method of providing notice of the settlement to the class; and scheduling a final hearing regarding the settlement. In support of this Motion, Plaintiff avers as follows:

1. After a series of arms-length settlement discussions, including significant exchanges of information and multiple proposals/counterproposals, as well as consideration of the risks, possible delays and expense likely to result from prolonged litigation, Plaintiff and Palm Restaurant Inc. (“Defendant” or “Palm”) (Plaintiff and Defendant collectively “the

Parties") have reached agreement on the terms of a proposed class settlement. On or about September 6, 2017, the Parties executed a Class Settlement Agreement and Release ("Settlement Agreement" or "Agreement"), a copy of which is attached hereto as Exhibit A.

2. The Settlement Agreement represents a comprehensive settlement of the issues raised in the above-captioned case.

3. The Parties believe that the Agreement offers a fair and equitable result to those affected by it.

4. The Parties believe that the Agreement will result in significant long-term benefits for individuals who are members of the proposed settlement class.

5. Consistent with the Memorandum of Law filed herewith, Plaintiff respectfully requests that the Court sign the proposed Order preliminarily approving the terms of a proposed Class Action Settlement; approving the form and method of providing Notice of the Settlement to the Class; and scheduling a final hearing regarding the Settlement.

WHEREFORE, Plaintiff hereby moves this Court for an Order: (1) preliminarily approving the terms of the Settlement as set forth in the Settlement Agreement; (2) approving the form of Notice and method of providing Notice of the Settlement to the Class as set forth in the Settlement Agreement, and directing that said form of Notice be provided to Class Members in that manner; and (3) scheduling a Final Settlement Hearing at which the request for final approval of the proposed Settlement and the entry of the Final Judgment and Order will be considered. A proposed Order preliminarily approving the Class Settlement; directing the issuance of Settlement Notice; and, scheduling a hearing on Final Approval is attached hereto as Exhibit B.

* * *

Dated: September 6, 2017
New York, New York

Respectfully submitted,

By: /s/ C.K. Lee
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